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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,931	10/01/2003	Lloyd Moore	0451M-001	7845

7590

09/08/2005

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EXAMINER

SPAHN, GAY

ART UNIT	PAPER NUMBER
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3673

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/676,931	MOORE, LLOYD	
	Examiner	Art Unit	
	Gay Ann Spahn	3673	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 18-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☒ Claim(s) 1, 3, 10, and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Applicant's election of Group I, claims 1-9 and 10-13, drawn to a ventilating closure system for a doorway and a system for ventilating a garage, respectively, classified in class 160, subclass 87, in the reply filed on 29 April 2005 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

However, upon reconsideration, the examiner will examine Groups I and II together.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 02 January 2004 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement has been considered by the examiner.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character not mentioned in the description:

(1) reference numeral "12" (which appears to be a mounting bracket for mounting the sensor 11 to the wall 2) as shown in Figs. 3 and 4.

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Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claims 1, 3, 10 and 12 objected to because of the following informalities:

(1) claim 1, line 9, the recitation of "the web" lacks antecedent basis and should be changed to --the web portion-- to properly refer back to "a web portion" recited in line 7 of claim 1;

(2) claim 3, line 2, the recitation of "the border" lacks antecedent basis and should be changed to --the border portion-- to properly refer back to "a border portion" recited in line 9 of claim 1;

(3) claim 10, line 8, the recitation of "the web" lacks antecedent basis and should be changed to --the web portion-- to properly refer back to "a web portion" recited in line 7 of claim 10;

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(4) claim 10, line 9, the recitation of "the web" lacks antecedent basis and should be changed to --the web portion-- to properly refer back to "a web portion" recited in line 7 of claim 10; and

(5) claim 12, line 2, the recitation of "a door" creates antecedent basis problems because it is not clear if this is the same door as "a garage door" recited in line 2 of claim 10.

Appropriate correction is required.

Claims 7 and 11 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. The recitation of "the screen is permeable to light" in line 2 of claim 7 and claim 11 does not further limit independent claims because a screen is by definition permeable to light. Therefore, Applicant is required to cancel the claims, or amend the claim to place the claim in proper dependent form, or rewrite the claim in independent form.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 (line 7) and claim 10 (line 7) both recite "a web portion." It is not understood what is being defined by the recitation of "a web portion" or how such "a web portion" is configured with respect to the elements of the claimed invention. The specification fails to clearly set forth any "web portion" (i.e., the term "web portion" does not find antecedent basis within the specification which uses the terms net (20) and screen (21)).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5-11, and 14-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Fry et al. (U.S. Patent No. 4,763,944).

As to claim 1, Fry et al. disclose a ventilating closure system (10) for a doorway, the doorway forming an opening in a wall and having a horizontal width adapted to be spanned and closed by a door, the doorway closure system (10) comprising:

a screen (20, 26, 27) adapted to stretch across the doorway and having a longitudinal axis extending parallel the doorway width between left and right screen ends;

a web portion (20, 26, 27) disposed between the screen ends and having a height, a perimeter and an open, air permeable mesh weave;

a border portion (25, 28, 20 under 30, 20 under 31) disposed on and surrounding the perimeter of the web portion (20, 26, 27); and

tensioning means (30, 32, 36, 38, and 12a) for tensioning the screen (22) across the doorway.

The examiner notes that the recitation in lines 1-2 of "for a doorway, the doorway forming an opening in a wall and having a horizontal width adapted to be spanned and closed by a door," is intended use and as such all the examiner need do is show that the reference is capable of performing such intended use. Clearly, the tailgate barrier of Fry et al. is capable of the intended use recited by Applicant in claim 1 because the bed of a light truck has walls with an opening having a horizontal width which is adapted to be spanned and closed by a tailgate (i.e., door).

As to claim 2, Fry et al. disclose the doorway closure system of claim 1 as discussed above, and Fry et al. also disclose that the tensioning means comprises:

brackets (14, 15, 16, 17) disposed on each side of the doorway adjacent the screen ends;

strap means (35) extending from each screen end and adapted to mate with the brackets (14, 15, 16, 17); and

fastening means (37) for securing the strap means (35) to the brackets (14, 15, 16, 17).

As to claim 3, Fry et al. disclose the doorway closure system of claim 2 as discussed above, and Fry et al. also disclose that the strap means (35) comprises: a plurality of elongate belts (35) coupled to the border (25, 28, 20 under 30, 20 under 31)

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and adapted to loop through apertures formed by corresponding lugs disposed on the brackets (14, 15, 16, 17).

As to claim 5, Fry et al. disclose the doorway closure system of claim 2 as discussed above, and Fry et al. also disclose that the strap means (35) comprises: self-tensioning cords (35) coupled to the border and adapted to couple to corresponding lugs disposed on the brackets (14, 15, 16, 17).

As to claim 6, Fry et al. disclose the doorway closure system of claim 1 as discussed above, and Fry et al. also disclose a plurality of vertical braces (30, 31) disposed near the screen ends and extending between and perpendicular to upper and lower portions of the border (25, 28).

As to claim 7, Fry et al. disclose the doorway closure system of claim 1 as discussed above, and Fry et al. also disclose that the screen (20, 26, 27) is permeable to light.

As to claim 8, Fry et al. disclose that the doorway closure system of claim 1 as discussed above, and Fry et al. also disclose that the screen (20, 26, 27) may be installed with the door open or closed.

The examiner notes that Fry et al. disclose that the screen (20, 26, 27) may be installed with the door open and since the recitation in the claim is in the alternative (i.e., either open or closed), this limitation is deemed to be met.

As to claim 9, Fry et al. disclose the doorway closure system of claim 1 as discussed above, and Fry et al. also discloses that the door may be closed by lowering it between the screen and the doorway.

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The examiner notes that with respect to claim 9 there appears to be no positive recitation of a door.

As to claim 10, Fry et al. disclose a system for ventilating a garage, the garage having a garage doorway having a horizontal width between opposite sides, a garage door suspended across the doorway and adapted partially and wholly to close the doorway, and rails disposed on each side of the doorway along a vertical height of the doorway and supporting the garage door, the garage ventilating system comprising:

a screen (20, 26, 27) adapted to extend across the width of the doorway and having a web portion (20, 26, 27) disposed between opposite ends adjacent the sides of the doorway, the web portion (20, 26, 27) having a height, a perimeter and an open mesh weave permeable to air; and a border (25, 28, 20 under 30, 20 under 31) disposed on and surrounding the perimeter of the web portion (20, 26, 27);

straps (35) having a proximate end coupled to the border (26, 28, 20 under 30, 20 under 31) and a distal end, the straps (35) adapted to extend toward the sides of the doorway;

brackets (14, 15, 16, 17) disposed on each of the opposite sides of the doorway a spaced distance farther from the sides of the doorway than the rails, the brackets (14, 15, 16, 17) having apertures adapted to receive the distal ends of the straps (35); and

fasteners (37) disposed on the straps (35) and adapted to couple the distal end of each strap (35) to the strap (35).

The examiner notes that the recitation in lines 1-4 that the system is "for ventilating a garage, the garage having a garage doorway having a horizontal width

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between opposite sides, a garage door suspended across the doorway and adapted partially and wholly to close the doorway, and rails disposed on each side of the doorway along a vertical height of the doorway and supporting the garage door," is intended use and as such all the examiner need do is show that the reference is capable of performing such intended use. The examiner deems the tailgate barrier of Fry et al. to be capable of the intended use recited by Applicant in claim 10 because the tailgate barrier could be suspended across a garage doorway opening in the same manner it is suspended across the tailgate opening to thus perform the function of ventilating a garage having a doorway with a horizontal width between opposite side in which a garage door may be suspended on rails to entirely or partially close the doorway.

As to claim 11, Fry et al. disclose the garage ventilating system of claim 10 as discussed above, and Fry et al. also disclose that the screen (20; 26, 27) is permeable to light.

As to claim 14, Fry et al. disclose a garage door screen (20, 26, 27) comprising:

- a substantially rectangular web portion (20, 26, 27) having a longitudinal axis extending between opposite screen ends;
- a border (25, 28, 20 under 30, 20 under 31) disposed on and surrounding the web portion (20, 26, 27);
- a plurality of straps (35) having proximate strap ends coupled to the border (25, 28, 20 under 30, 20 under 31) and extending toward opposite sides of the garage door to terminate in distal strap ends;

a plurality of lugs (14) disposed on each side of the garage door adjacent the screen ends, the lugs (14) each and having apertures adapted to receive a corresponding one of the straps (35); and

fasteners (37) disposed on the distal strap ends and adapted to removably couple the distal strap ends to at least one location along the strap (35),

whereby the fasteners (37) may be employed to introduce tension into the border (25, 28, 20 under 30, 20 under 31) to suspend the screen across the garage door.

As to claim 15, Fry et al. disclose the garage door screen (20, 26, 27) of claim 14 as discussed above, and Fry et al. also disclose that the web portion (20, 26, 27) is permeable to light.

As to claim 16, Fry et al. disclose the garage door screen (20, 26, 27) of claim 14 as discussed above, and Fry et al. also disclose that the web portion (20, 26, 27) is permeable to air.

As to claim 17, Fry et al. disclose that the garage door screen (20, 26, 27) of claim 14 as discussed above, and Fry et al. also disclose that the web portion (20, 26, 27) is permeable to light and air.

Claims 1-3, 5-11, and 14-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Wood (U.S. Patent No. 5,358,025).

As to claim 1, Wood discloses a ventilating closure system (see Fig. 2) for a doorway, the doorway forming an opening in a wall and having a horizontal width adapted to be spanned and closed by a door, the doorway closure system comprising:

a screen (1 or 2) adapted to stretch across the doorway and having a longitudinal axis extending parallel the doorway width between left and right screen ends;

a web portion (1 or 2) disposed between the screen ends and having a height, a perimeter and an open, air permeable mesh weave;

a border portion (3) disposed on and surrounding the perimeter of the web portion (1 or 2); and

tensioning means (4, 5, 6, 7) for tensioning the screen (1 or 2) across the doorway.

As to claim 2, Wood discloses the doorway closure system of claim 1 as discussed above, and Wood also discloses that the tensioning means (4, 5, 6, 7) comprises:

brackets (4, 7) disposed on each side of the doorway adjacent the screen ends;

strap means (5) extending from each screen end and adapted to mate with the brackets (4, 7); and

fastening means (6) for securing the strap means (5) to the brackets (4, 7).

As to claim 3, Wood discloses the doorway closure system of claim 2 as discussed above, and Wood also discloses that the strap means (5) comprises: a plurality of elongate belts (5) coupled to the border (3) and adapted to loop through apertures (at end of 4) formed by corresponding lugs (end of 4) disposed on the brackets (4, 7).

As to claim 5, Wood discloses the doorway closure system of claim 2 as discussed above, and Wood also discloses that the strap means (5) comprises: self-

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tensioning cords (5) coupled to the border (3) and adapted to couple to corresponding lugs (end of 4) disposed on the brackets (4, 7).

As to claim 6, Wood discloses the doorway closure system of claim 1 as discussed above, and Wood also discloses a plurality of vertical braces (see Fig. 2 - straps 5 are connected to vertical braces on left and right side) disposed near the screen ends and extending between and perpendicular to upper and lower portions of the border (3).

As to claim 7, Wood discloses the doorway closure system of claim 1 as discussed above, and Wood also discloses that the screen (1 or 2) is permeable to light.

As to claim 8, Wood discloses that the doorway closure system of claim 1 as discussed above, and Wood also discloses that the screen (1 or 2) may be installed with the door open or closed.

The examiner notes that Wood discloses that the screen (1 or 2) may be installed with the door open and since the recitation in the claim is in the alternative (i.e., either open or closed), this limitation is deemed to be met.

As to claim 9, Wood discloses the doorway closure system of claim 1 as discussed above, and Wood also discloses that the door may be closed by lowering it between the screen and the doorway.

The examiner notes that with respect to claim 9 there appears to be no positive recitation of a door.

As to claim 10, Wood discloses a system for ventilating a garage, the garage having a garage doorway having a horizontal width between opposite sides, a garage

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door suspended across the doorway and adapted partially and wholly to close the doorway, and rails disposed on each side of the doorway along a vertical height of the doorway and supporting the garage door, the garage ventilating system comprising:

a screen (1 or 2) adapted to extend across the width of the doorway and having a web portion (1 or 2) disposed between opposite ends adjacent the sides of the doorway, the web portion (1 or 2) having a height, a perimeter and an open mesh weave permeable to air; and a border (3) disposed on and surrounding the perimeter of the web portion (1 or 2);

straps (5) having a proximate end coupled to the border (3) and a distal end, the straps (5) adapted to extend toward the sides of the doorway;

brackets (4, 7) disposed on each of the opposite sides of the doorway a spaced distance farther from the sides of the doorway than the rails, the brackets (4, 7) having apertures (at end of 4) adapted to receive the distal ends of the straps (5); and

fasteners (6) disposed on the straps (5) and adapted to couple the distal end of each strap (5) to the strap (5).

As to claim 11, Wood discloses the garage ventilating system of claim 10 as discussed above, and Wood also discloses that the screen (1 or 2) is permeable to light.

As to claim 14, Wood discloses a garage door screen (1 or 2) comprising:
a substantially rectangular web portion (1 or 2) having a longitudinal axis extending between opposite screen ends;

a border (3) disposed on and surrounding the web portion (1 or 2);

a plurality of straps (5) having proximate strap ends coupled to the border (3) and extending toward opposite sides of the garage door to terminate in distal strap ends;

a plurality of lugs (end of 4) disposed on each side of the garage door adjacent the screen ends, the lugs (end of 4) each and having apertures adapted to receive a corresponding one of the straps (5); and

fasteners (6) disposed on the distal strap ends and adapted to removably couple the distal strap ends to at least one location along the strap (5),

whereby the fasteners (6) may be employed to introduce tension into the border to suspend the screen across the garage door.

As to claim 15, Wood discloses the garage door screen (1 or 2) of claim 14 as discussed above, and Wood also discloses that the web portion (1 or 2) is permeable to light.

As to claim 16, Wood discloses the garage door screen (1 or 2) of claim 14 as discussed above, and Wood also discloses that the web portion (1 or 2) is permeable to air.

As to claim 17, Wood discloses that the garage door screen (1 or 2) of claim 14 as discussed above, and Wood also discloses that the web portion (1 or 2) is permeable to light and air.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fry et al. (U.S. Patent No. 4,763,944) in view of Conner (U.S. Patent No. 5,460,409).

As to claim 4, Fry et al. disclose the doorway closure system of claim 3 as discussed above, but Fry et al. fail to explicitly disclose that the fastening means comprises: hook and loop fasteners disposed on one side of each of the belts and adapted to couple an end of the belt to a portion of the belt near the border.

Conner discloses a doorway closure system (20) wherein the fastening means comprises: hook and loop fasteners (36, 38) disposed on one side of each of the belts (28a, 28b) and adapted to couple an end (30, 32) of the belt (28a, 28b) to a portion of the belt (28a, 28b) near the border.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the doorway disclosure system of Fry et al. by replacing the buckles (37) of Fry et al. with the hook and loop fasteners (36, 38) of Conner because hook and loop fasteners are a notoriously well known alternative means of fastening to hook and eyes, snaps, buckles, etc. and hook and loop fasteners would be easier to use in order to tighten straps around lugs as eliminating the need for passing the end of the straps through the buckle.

As to claim 13, Fry et al. disclose the system of claim 10 as discussed above, but Fry et al. fail to explicitly disclose that the fasteners further comprise: hook and loop fasteners disposed on one side of the straps adjacent their distal ends.

Conner discloses a system (20) wherein fasteners comprises: hook and loop fasteners (36, 38) disposed on one side of the straps (28a, 28b) adjacent their distal ends.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the doorway disclosure system of Fry et al. by replacing the buckles (37) of Fry et al. with the hook and loop fasteners (36, 38) of Conner because hook and loop fasteners are a notoriously well known alternative means of fastening to hook and eyes, snaps, buckles, etc. and hook and loop fasteners would be easier to use in order to tighten straps around lugs as eliminating the need for passing the end of the straps through the buckle.

Claims 4 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wood (U.S. Patent No. 5,358,025) in view of Conner (U.S. Patent No. 5,460,409).

As to claim 4, Wood discloses the doorway closure system of claim 3 as discussed above, but Wood fails to explicitly disclose that the fastening means comprises: hook and loop fasteners disposed on one side of each of the belts and adapted to couple an end of the belt to a portion of the belt near the border.

Conner discloses a doorway closure system (20) having fastening means which comprise: hook and loop fasteners (36, 38) disposed on one side of each of the belts (28a, 28b) and adapted to couple an end (30, 32) of the belt (28a, 28b) to a portion of the belt (28a, 28b) near the border.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the doorway disclosure system of Wood by replacing the buckles (6) of Wood with the hook and loop fasteners (36, 38) of Conner because hook and loop fasteners are a notoriously well known alternative means of fastening to hook and eyes, snaps, buckles, etc. and hook and loop fasteners would be easier to use in order to tighten straps around lugs as eliminating the need for passing the end of the straps through the buckle.

As to claim 13, Wood discloses the garage ventilating system of claim 10 as discussed above, but Wood fails to explicitly disclose that the fasteners further comprise: hook and loop fasteners disposed on one side of the straps adjacent their distal ends.

Conner discloses a system (20) having fasteners which comprise: hook and loop fasteners (36, 38) disposed on one side of the straps (28a, 28b) adjacent their distal ends.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the garage ventilating system of Wood replacing the buckles (37) of Wood with the hook and loop fasteners (36, 38) of Conner because hook and loop fasteners are a notoriously well known alternative means of fastening to

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hook and eyes, snaps, buckles, etc. and hook and loop fasteners would be easier to use in order to tighten straps around lugs as eliminating the need for passing the end of the straps through the buckle.

Claims 9 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wood (U.S. Patent No. 5,358,025) in view of Bogumil (U.S. Patent No. 3,455,366).

As to claim 9, Wood discloses the doorway closure system of claim 1 as discussed above, but Wood may fail to explicitly disclose that the door may be closed by lowering it between the screen and the doorway because Wood appears to show a screen enclosure attached inside the door jamb, thus not necessarily allowing the garage door to be lowered between it and the doorway.

However, Bogumil teaches a garage door screen attached to the outer face of the door jamb.

Thus, to have attached the wood screen as along the outside face of the garage door framing and therefore allowing the door to be closed between the screen and the doorway would have been obvious as taught by Bogumil.

As to claim 12, Wood discloses the system of claim 10 as discussed above, but Wood may fail to explicitly disclose that a door may be closed and opened with the screen in place because Wood appears to show a screen enclosure attached inside the door jamb, thus not necessarily allowing the garage door to be lowered between it and the doorway.

However, Bogumil teaches a garage door screen attached to the outer face of the door jamb.

Thus, to have attached the wood screen as along the outside face of the garage door framing and therefore allowing the door to be closed between the screen and the doorway would have been obvious as taught by Bogumil.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent No. 5,452,973 to Arvin discloses a truck bed cargo net. U.S. Patent No. 6,915,833 to Hoffman discloses a portable screen wall section. U.S. Patent No. 673,703 to Davis et al. discloses a door guard. U.S. Patent Application Publication No. 2002/0000301 to Rolin discloses a portable screen device. U.S. Patent No. 1,458,056 to Hill discloses a screen for a tobacco barn door. U.S. Patent No. 5,382,068 to Simmons et al. discloses an easily installed flexible barrier for a van (see Fig. 4). U.S. Patent No. 4,964,771 to Callihan discloses a cargo restrainer. U.S. Patent No. 6,209,598 to Petry discloses a cover for concealing an insignia side of sign (see straps (300 and hook and loop fasteners (26) in Fig. 3). U.S. Patent No. 3,695,698 to Trump discloses a restraint device. U.S. Patent No. 5,620,040 to Swanner discloses a foldable cargo cover. U.S. Patent No. 4,436,466 to Marino discloses a cargo restraining apparatus. U.S. Patent No. 5,121,958 to Goeden et al. discloses a cargo freight partition. U.S. Patent No. 5,695,217 to Ament et al. discloses a safety net construction. U.S. Patent No. 5,458,447 to Clason discloses a cargo restraint. U.S. Patent Nos.

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5,090,856, 5,026,231, 6,099,222, 6,554,339, 6,817,644, and Des. 325,016 to Moore disclose an automotive barrier net. U.S. Patent No. 5,328,310 to Lockney discloses a cargo restraining net. U.S. Patent No. 3,276,512 to Gallagher discloses a cover for the interior of an automobile. U.S. Patent No. 3,237,778 to Hoodis discloses a clothes drying net. U.S. Patent No. 6,536,502 to Britto et al. discloses a child safety barrier. U.S. Patent Application Publication No. 2005/0173078 to Perez, Jr. discloses a pet guard. U.S. Patent No. 6,807,999 to Bowen et al. discloses a pathway barrier. U.S. Patent No. 5,407,178 to Long discloses a driveway barrier. U.S. Patent No. 4,852,194 to Langan discloses a child safety barrier. U.S. Patent No. 5,394,927 to Huebner discloses a safety barrier. U.S. Patent No. 4,717,157 (to Smith), 2,073,182 (to Scherer), 4,971,319 (to Cutrone), and 5,052,686 (to Pryor) all disclose tennis or game nets. U.S. Patent No. 2,785,897 to Lennon discloses a protective device for playing fields (see Fig. 2). U.S. Patent No. 5,738,160 to Rice discloses a cover for an automobile service pit. U.S. Patent Application Publication No. 2004/0020607 to Aguirre, Jr. et al. discloses an overhead door shade system. U.S. Patent No. 6,412,540 and U.S. Patent Application Publication No. 2002/0007924 to Hendee discloses a windscreen. U.S. Patent No. 5,758,704 to Elrod discloses a screen door. U.S. Patent No. 2,261,141 to Davis discloses a window screen. Garage door screens are disclosed in U.S. Patent Nos. 6,557,614 (to Lampers), 6,705,378 (to Smidt), 6,715,527 (to Ardoin), 4,141,403 (to Church), 5,427,169 (to Saulters), 4,673,019 (to Silverthorne et al.), 6,079,473 (to Ackerson, II et al.), 6,053,235 (to Ruffner, Sr.), 6,257,307 (to Tollivar), 4,846,241 (to Chomka et al.), 4,231,412 (to Nowak), 5,848,630 (to Manzo), 6,098,698

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(to King-Darr), D455,840 (to Richardson), D466,616 (to Warner et al.), 5,271,449 (to Herrick), and 6,415,844 (to Smith). Garage door screens are also disclosed in U.S. Patent Application Publication No. 2003/0106652 (to Ardoin), 2004/0250967 (to Dorest), and 2004/0144499 (to Pannell). U.S. Patent No. 6,026,886 to Diamond-Martinez discloses window coverings for garage door windows utilizing straps and hook and loop fasteners.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gay Ann Spahn whose telephone number is (571)-272-7731. The examiner can normally be reached on Monday through Thursday, 8:30 am to 7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather C. Shackelford can be reached on (571)-272-7049. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. However, this fax phone number is being phased out and will no longer be in effect after September 15, 2005. The new fax phone number beginning July 15, 2005 will be (571)-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

^{GAS}
Gay Ann Spahn, Patent Examiner
August 19, 2005



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